

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**DONNA CURLING, ET AL.,  
Plaintiffs,**

**v.**

**BRAD RAFFENSPERGER, ET AL.,  
Defendants.**

**Civil Action No. 1:17-CV-2989-AT**

**PLAINTIFFS' CONSENT MOTION FOR ORAL ARGUMENT  
OR FOR LEAVE TO FILE A SUR-REPLY**

Pursuant to Local Rule 7.1(E) and this Court's Standing Order (Dkt. No. 11 ¶ III(k)), Plaintiffs jointly request oral argument on State Defendants' Brief Regarding Investigative Privilege ("Reply Brief") (Dkt. 1444) at the Court's earliest opportunity. Alternatively, Plaintiffs jointly request leave to file a sur-reply of no more than five pages to the Reply Brief. The Reply Brief includes new evidence, allegations, and arguments presented for the first time on reply (which the Court should disregard and strike as untimely and improper on reply), and Plaintiffs respectfully submit that oral argument—or a short sur-reply—will assist the Court in resolving State Defendants' investigative privilege claim. Should the Court permit a sur-reply, Plaintiffs request permission to file it within one business day of entry of an order authorizing it.

State Defendants have consented to the request for oral argument or sur-reply.

Respectfully submitted this 4th day of August, 2022.

/s/ David D. Cross

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**CERTIFICATE OF COMPLIANCE**

I hereby certify that the foregoing document has been prepared in accordance with the font type and margin requirements of LR 5.1, using font type of Times New Roman and a point size of 14.

/s/ David D. Cross

David D. Cross

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 4, 2022, a copy of the foregoing **PLAINTIFFS' CONSENT MOTION FOR ORAL ARGUMENT OR FOR LEAVE TO FILE A SUR-REPLY** was electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to all attorneys of record.

/s/ David D. Cross  
David D. Cross